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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	:
KATSUSHI FUJII, ET AL.	: EXAMINER: HUYNH, B.
SERIAL NO: 10/067,350	:
FILED: FEBRUARY 7, 2002	: GROUP ART UNIT: 2179
FOR: INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, RECORDING MEDIUM, AND PROGRAM	:

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is an appeal from the decision of the Examiner dated July 17, 2008 which finally

rejected Claims 1-8 in the above-identified patent application. A Notice of Appeal was

timely filed on October 17, 2008.

I. REAL PARTY-IN-INTEREST

The real party-in-interest is Sony Corporation.

II. RELATED APPEALS AND INTERFERENCES

U.S. Patent Application No. 10/067,304 is also under appeal and includes similar

issues as the present appeal.

III. STATUS OF CLAIMS

Claims 1-8 have been finally rejected and form the basis for this appeal. Appendix VIII includes a clean copy of Claims 1-8.

IV. STATUS OF AMENDMENTS

No amendment after final rejection has been filed.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent Claim 1 is directed to an information processing apparatus managing a first service of distributing contents of a first terminal in real time according to a reservation made in advance by the first terminal, and, to second and third terminal requesting the use of the first service and the use of a second service of providing a chat space. The apparatus includes an acquiring unit, a reservation information providing unit, a generation unit, and authenticating unit, and the providing unit. The acquiring unit is configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals. (Live casting server 7, page 25, line 1 to page 27, line 21 and Figure 10.) The reservation information providing unit is configured to provide to the second and third terminals information including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal. (Live casting server 7, page 38, line 12 to page 39, line 6 and Figure 21.) The generation unit is configured to generate the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation. (Communication server 6, page 9, lines 20-25.) The authenticating unit is configured to authenticate the second and third terminals by the use of the shared authentication data, the shared authentication data

being the same for both the second and third terminals. (Communication server 6, page 13, lines 16-20.) The providing unit is configured to provide the second service of the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service upon authentication of the shared authentication data at the information processing apparatus. (Communication server 6, page 38, line 16 to page 41, line 10.)

Independent Claim 4 is directed to a method including acquiring reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals (Live casting server 7, page 25, line 1 to page 27, line 21 and Figure 10.); providing information to the second and third terminals including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal (Live casting server 7, page 38, line 12 to page 39, line 6 and Figure 21.); generating the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation (Communication server 6, page 9, lines 20-25.); authenticating the terminal by the use of the shared authentication data used by the server, the shared authentication data being the same for both the second and third terminals (Communication server 6, page 13, lines 16-20.); and providing the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals

simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service upon authentication of the shared authentication data at the information processing apparatus (Communication server 6, page 38, line 16 to page 41, line 10.).

Independent Claim 5 is directed to a recording medium storing a computer-readable program for causing an information processing apparatus to perform a method. The method includes acquiring reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals (Live casting server 7, page 25, line 1 to page 27, line 21 and Figure 10.); providing information to the second and third terminals including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal (Live casting server 7, page 38, line 12 to page 39, line 6 and Figure 21.); generating the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation (Communication server 6, page 9, lines 20-25.); authenticating the terminal by the use of the shared authentication data used by the server, the shared authentication data being the same for both the second and third terminals (Communication server 6, page 13, lines 16-20.); and providing the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service

upon authentication of the shared authentication data at the information processing apparatus (Communication server 6, page 38, line 16 to page 41, line 10.).

Independent Claim 6 is directed to a computer readable carrier including computer program instructions to cause a computer to implement a method. The method includes acquiring reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals (Live casting server 7, page 25, line 1 to page 27, line 21 and Figure 10.); providing information to the second and third terminals including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal (Live casting server 7, page 38, line 12 to page 39, line 6 and Figure 21.); generating the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation (Communication server 6, page 9, lines 20-25.); authenticating the terminal by the use of the shared authentication data used by the server, the shared authentication data being the same for both the second and third terminals (Communication server 6, page 13, lines 16-20.); and providing the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service upon authentication of the shared authentication data at the information processing apparatus (Communication server 6, page 38, line 16 to page 41, line 10.).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed on appeal are

(a) whether Claims 1-8 are unpatentable under 35 U.S.C. §103(a) over Dworkin (U.S.

Patent Application Publication No. 20020071540) in view of Dailey et al. (U.S. Patent No.

6,363,352, hereinafter "Dailey").

It is noted that the outstanding Office Action stated that Claims 1-6 were rejected

under 35 U.S.C. §103(a) over Dworkin in view of Dailey. However, Claims 7 and 8 are

addressed with respect to these two references on page 6 of the outstanding Office Action.

VII. ARGUMENTS

A.   Claims 1-8 are not unpatentable over Dworkin in view of Dailey

Amended Claim 1 recites in part "a reservation information providing unit configured

to provide to the second and third terminals information including shared authentication data,

a description of the first service, scheduling information and *hyperlink data of a webpage of*

a user of the first terminal."

Dworkin describes an application service provider (ASP) for providing a conferencing

environment.[1] The outstanding Office Action cited paragraphs 2-8 (in particular paragraph 7)

and 15-19 of Dworkin, and column 2 lines 26-29 and column 3 lines 37-60 of Dailey as

describing "hyperlink data of a webpage of a user of the first terminal" as recited in Claim 1.[2]

With regard to Dworkin, paragraph 7 of Dworkin describes that the ASP can provide a web-

based interface for providing a conferencing environment. In this regard, users 100 invited to

join a conference are provided with the website *of the ASP*. Nowhere does Dworkin describe

that any user is provided with any website of *another user*, much less the user who reserved

the conference. In this regard, paragraph 26 of Dworkin describes that the purchaser of

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[1]See Dworkin, abstract.
[2]See the outstanding Office Action at page 3, lines 5 and 6 and page 6, lines 18-21.

conference room time may identify the following at the time of purchase: the video chat room name and size, password, bandwidth, environment, and video and sound quality of the conference. A website of the purchaser is **_not_** included in the list. Therefore, it is respectfully submitted that <u>Dworkin</u> does not describe a reservation information providing unit configured to provide information including *hyperlink data of a webpage of a user of the first terminal*. At most, paragraph 28 of <u>Dworkin</u> describes that a website of the *ASP*, not either of the users 106, 108, is provided to a customer.

With respect to <u>Dailey</u>, column 2, lines 26-29 describes the meeting host's network address, which is an identification number of a meeting host's computer, <u>not</u> a hyperlink. Column 3, lines 37-60 describe of an e-mail address or network address to identify a host's computer so that a connection between a meeting participant's computer and a meeting host's computer can be made. Again, an e-mail address and a network address are both **_not_** a hyperlink. Finally, it is respectfully submitted that no other portion of <u>Dailey</u> teaches or suggests a reservation information providing unit configured to provide information including *hyperlink data of a webpage of a user of the first terminal* either.

Consequently, Claim 1 (and Claims 2, 3, 7, and 8 dependent therefrom) is patentable over <u>Dworkin</u> in view of <u>Dailey</u>.

Claims 4-6 recite in part "*providing information* to the second and third terminals *including* shared authentication data, a description of the first service, scheduling information and *hyperlink data of a webpage of a user of the first terminal*."
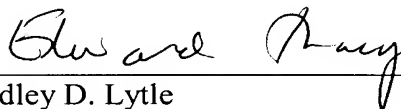
As noted above, <u>Dworkin</u> only describes providing a website of the *ASP*, not of the users 106, 108. Further, <u>Dailey</u> only describes providing e-mail address or network address of a host computer, **_not_** a hyperlink. Consequently, Claims 4-6 are also patentable over <u>Dworkin</u> in view of <u>Dailey</u>.

Conclusion

It is respectfully requested that the outstanding rejections be REVERSED.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

Claim 1: An information processing apparatus managing a first service of distributing contents of a first terminal in real time according to a reservation made in advance by the first terminal, and, to second and third terminal requesting the use of the first service and the use of a second service of providing a chat space, comprising:

an acquiring unit configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals;

a reservation information providing unit configured to provide to the second and third terminals information including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal;

a generation unit configured to generate the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation; and

an authenticating unit to authenticate the second and third terminals by the use of the shared authentication data, the shared authentication data being the same for both the second and third terminals;

a providing unit configured to provide the second service of the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service upon authentication of the shared authentication data at the information processing apparatus.

Claim 2: An information processing apparatus according to Claim 1,

wherein the first service is a service for distributing contents sent according to a

reservation made in advance, to the second and third terminals in real time.

Claim 3: An information processing apparatus according to Claim 1,

wherein the first service is a service for providing the second and third terminals with

a chat space corresponding to a reservation made in advance for distributing contents in real

time.

Claim 4: An information processing method for an information processing apparatus

managing a first service of distributing contents of a first terminal in real time according to a

reservation made in advance by the first terminal, and, to second and third terminals

requesting the use of the first service and the use of a second service of providing a chat

space, comprising:

acquiring reservation information, sent by the first terminal, to the information

processing apparatus from a reservation data base in order to provide the first service to the

second and third terminals;

providing information to the second and third terminals including shared

authentication data, a description of the first service, scheduling information and hyperlink

data of a webpage of a user of the first terminal;

generating the chat space corresponding to the reservation at a predetermined time

prior to a distribution start time designated by the reservation;

authenticating the terminal by the use of the shared authentication data used by the

server, the shared authentication data being the same for both the second and third terminals;

and

providing the chat space to the first terminal, and the second service of the chat space

and the first service to the second and third terminals designated to be distributed by the first

terminal, the second service of the chat space and the first service being provided to the

second and third terminals simultaneously upon authentication, via actuation of the hyperlink

in accordance with the scheduling information of the distribution notice, the providing unit

delivering simultaneous access to the second service of the chat space and the first service

upon authentication of the shared authentication data at the information processing apparatus.

Claim 5: A recording medium storing a computer-readable program for an

information processing apparatus managing a first service of distributing contents of a first

terminal in real time according to a reservation made in advance by the first terminal, and, to

a second and third terminals requesting the use of the first service and the use of a second

service of providing a chat space, comprising:

acquiring reservation information, sent by the first terminal, to the information

processing apparatus from a reservation data base in order to provide the first service to the

second and third terminals;

providing information to the second and third terminals including shared

authentication data, a description of the first service, scheduling information and hyperlink

data of a webpage of a user of the first terminal;

generating the chat space corresponding to the reservation at a predetermined time

prior to a distribution start time designated by the reservation; and

authenticating the terminal by the use of the shared authentication data used by the

server, the shared authentication data being the same for both the second and third terminals;

providing the chat space to the first terminal, and the second service of the chat space

and the first service to the second service of the second and third terminals designated to be distributed by the first terminal, the second service of the chat space and the first service being provided to the second and third terminals simultaneously upon authentication, via actuation of the hyperlink in accordance with the scheduling information of the distribution notice, the providing unit delivering simultaneous access to the second service of the chat space and the first service upon authentication of the shared authentication data at the information processing apparatus.

Claim 6: A computer readable carrier including computer program instructions to cause a computer to implement a method of managing a first service of distributing contents of a first terminal in real time according to a reservation made in advance by the first terminal, and, to a second and third terminals requesting the use of the first service and the use of a second service of providing a chat space, comprising:

acquiring reservation information, sent by the first terminal, to the information processing apparatus from a reservation data base in order to provide the first service to the second and third terminals;

providing information to the second and third terminals including shared authentication data, a description of the first service, scheduling information and hyperlink data of a webpage of a user of the first terminal;

generating the chat space corresponding to the reservation at a predetermined time prior to a distribution start time designated by the reservation; and

authenticating the terminal by the use of the shared authentication data used by the server, the shared authentication data being the same for both the second and third terminals;

providing the chat space to the first terminal, and the second service of the chat space and the first service to the second and third terminals designated to be distributed by the first

terminal, the second service of the chat space and the first service being provided to the

second and third terminals simultaneously upon authentication, via actuation of the hyperlink

in accordance with the scheduling information of the distribution notice, the providing unit

delivering simultaneous access to the second service of the chat space and the first service

upon authentication of the shared authentication data at the information processing apparatus.

Claim 7: The information processing apparatus according to Claim 1,

wherein the first service is a service for only distributing multimedia contents

unidirectionally from a first terminal to the second and third terminals in real time.

Claim 8: The information processing apparatus according to Claim 7, wherein the

multimedia contents are video contents.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None.